

REMARKS

Reconsideration of this application is respectfully requested. Claims 3-20 as amended remain in the case. Claim 19 has been revised so as to further clarify the bi-directional nature of the present invention. No new matter is believed to be inserted by these amendments, and entry and favorable consideration thereof are requested.

Rejections under 35 U.S.C. § 102

Claims 3, 12, 14 and 16-20 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,512,926 (Smith). These rejections are respectfully traversed.

In contrast to the present invention, Smith does not even deal with bi-directional short message service centers (SMSCs). To this end, it is noted that one of the main differences between Smith and the present invention is the origin of the messages transmitted, and with them, the origin of any communication between implied devices. Specifically, Smith merely teaches a mobile-originated SMSC communication system, whereby every communication is necessarily a message that cannot originate anywhere other than in a mobile device, and as such the server taught by Smith cannot create and transmit a message in an independent fashion, but is only capable of generating a reply to a message that originates in a given mobile device. (See, Abstract, lines 1-4: "*A mobile device-to-HTTP protocol gateway (MHG, or MO Gateway) which translates between Wireless Mobile Originated commands from an SMSC, and application server on the Internet*"; column 9, lines 50-55: "*After the servlet of the web server in the Internet 150 receives the HTTP protocol POST command, the servlet synchronously returns data through the HTTP stream back to the MHG 100. The text returned by the servlet may be delivered to the mobile device 120 as a standard SMS message*"; column 10, lines 21-24: "*Step 6: After having posted its data to the web server in the Internet 150, the MHG receives a response from the same connection, as described in Step 5; figure 3*").

By direct contrast, the present system provides for far more robust functionality, and true bi-directionality whereby the any given message need not originate solely from a mobile phone, but instead may originate elsewhere, such as in a server. (See, Abstract, lines 6-10, and paragraph [0009]: "...for which both server (5) and remote server (1) have means of bi-directional transmission/reception (2, 3, 8 and 9) of the short message via the Internet protocol (http); paragraph

[0035]: *"It shows an explanatory functional block diagram of the case in which it is the remote server that sends a short message, with acknowledgment of receipt, to a mobile telephone user"*; paragraphs [0052]-[0054]: *"...the case is described wherein the short message has been sent from a service provider 1 to GSM network 10...as from this point in time server module 9 sends 212 the short message to GSM network 10..."*; figure 3). Accordingly, Smith clearly teaches away from the bi-directional communication of the present inventive system.

In addition, it should be noted that this because of this significant difference, there exist large differences between the structure of the teachings of Smith and the presently claimed invention. Specifically, the present invention provides for server and client modules of the remote server (3,2), and the server and client modules of the SMSC (8,9) that are separated and differentiated. Smith does not teach or disclose such differentiation, because Smith merely describes a transmission and reception of message by means of a unique module, and in doing so, does not describe composition blocks, reception blocks, transmission blocks, or analysis blocks. Furthermore, the system described in Smith also teaches the need for an intermediate step between SMS and HTTP format, the process of which is carried out by an intermediate module, a "Wireless Internet Gateway" (WIG), through RMI protocol (Java Remote Method Invocation). By way of further contrast, the presently claimed system dispenses with the need for such an intermediate step because it utilizes RMI, and because the WIG and HTTPG W are included in the SMSC. As such, the presently claimed invention is completely different from that taught in the system of Smith.

Accordingly, the Smith reference neither discloses nor teaches Applicants' claimed invention, and as such, the rejections over Claims 3, 12, 14 and 16-20 are improper and should be withdrawn, for all of the reasons described above. As such, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 is hereby respectfully requested.

### **Rejections under 35 U.S.C. § 103**

Claims 4-11, 13 and 15 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 6,512,926 (Smith) in view of U.S. Patent No. 7,020,479 (Martschitsch). This rejection is respectfully traversed.

First, applicant notes that no motivation exists to combine Smith with Martschitsch. Nevertheless, even if it could be assumed that the combination of these two references is proper, it is further maintained that these two references cannot render the presently claimed invention obvious.

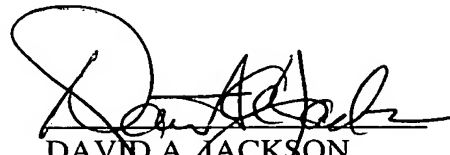
To this end, the above deficiencies of Smith are hereby reincorporated herein for response to this particular rejection, but in addition, several additional deficiencies are noted regarding the Martschitsch reference. Specifically, as it pertains to claims 5-6, it is asserted that Martschitsch merely discloses coding of types that do not pertain to the alphabet, so that at best, these types can be used for ASCII code and the like, but this coding cannot be used for the sending of longer messages, and as such, is inapplicable over the claimed invention. Furthermore, with particular regard to claim 13, Smith only discloses certain limited optional parameters, while Martschitsch describes non-analogous coding functions and security functions (HASH), neither of which describes, or is relevant to the feature of inserting default values in cases where optional parameters are omitted. Thus, taking into account the important differences between the claimed invention and the other ones described in Smith and Martschitsch, the undersigned maintains that the present invention is novel and it would not have been obvious at all for a person skilled in the art to view the Smith and Martschitsch combination over the presently claimed invention. As such, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 is hereby respectfully requested.

### Conclusion

All objections and rejections have been complied with, properly traversed, or rendered moot. Thus, it now appears that the application is in condition for allowance. Should any questions arise, the examiner is invited to call the undersigned representative so that this case may receive an early Notice of Allowance.

Applicants submit that the claims as amended herein are in condition for allowance, and an allowance of the present application is respectfully solicited.

Respectfully submitted,



DAVID A. JACKSON  
Attorney for Applicant(s)  
Registration No. 26,742

KLAUBER & JACKSON  
411 Hackensack Avenue  
Hackensack, NJ 07601  
(201) 487-5800